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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 STEPHEN LEE CZAPLA, ) CASE NO. C08-0084-RSM  
09 Plaintiff, )  
10 v. ) ORDER GRANTING DEFENDANTS'  
11 OFFICER KELLEY, et al., ) MOTION FOR SUMMARY  
12 Defendants. ) JUDGMENT AND DENYING  
13 ) PLAINTIFF'S MOTION FOR  
14 ) SUMMARY JUDGMENT  
15 )  
16 )

14 The Court, having reviewed plaintiff's amended civil rights complaint, the parties'  
15 motions for summary judgment, the Report and Recommendation of the Honorable Mary Alice  
16 Theiler, United States Magistrate Judge, and the remaining record, does hereby find and

17 ORDER:

- 18 (1) The Court adopts the Report and Recommendation;  
19 (2) Defendants' motion for summary judgment (Dkt. No. 25) is GRANTED;  
20 (3) Plaintiff's motion for summary judgment (Dkt. No. 33) is DENIED;  
21 (4) Plaintiff's amended complaint and this action are DISMISSED with prejudice;  
22 and,

ORDER GRANTING DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT AND DENYING PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT

01 (5) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
02 defendants, and to the Honorable Mary Alice Theiler.

03 DATED this 5 day of May, 2009.

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07 RICARDO S. MARTINEZ  
08 UNITED STATES DISTRICT JUDGE  
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